



# Legislative Research Council

## RULES REVIEW COMMITTEE AGENDA

*Revised 9/13/2005*

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**Representative Jean M. Hunhoff, Chair**  
**Senator Orville B. Smidt, Vice Chair**

**Two hundred sixty-second meeting**  
**Tuesday**  
**September 20, 2005**

**Room 413**  
**State Capitol**  
**Pierre, South Dakota**

**Agencies are asked to have a representative present at the meeting  
to give background information on their rules.**

9:00 a.m. Call to order, roll call, approval of minutes, staff report

9:10 a.m. Review of proposed rules

### **Representative Hunhoff**

Department of Revenue and Regulation: Gaming Commission - Amend racing rules as follows: provide a new basis for summary suspension of licensure – when a licensee fails to pay a fine imposed by the deadline allowed, require permission of the Board of Stewards before payment of another licensee's fine is allowed, require a mandatory suspension of licensure for individuals who do not pay fines within established deadlines, eliminate reference to the Association of Racing Commission International in the reinstatement procedure rule and to recognize that there are more than one pari-mutuel associations for racing, and eliminate the reference to the Association of Racing Commissioners International from the rule regarding procedures for denied licenses, recognizing the expansion of pari-mutuel regulatory associations. Regarding the Deadwood Gambling rules, adopt a variation of play of the game of poker known as Heads Up Poker Challenge.

### **Representative Hunt**

Bureau of Finance and Management – Amend a rule to require that requests for Advance Travel have a minimum of \$200.

### **Senator Hundstad**

Department of Transportation - Amend speed zones in the following counties: Brown, Day, and Roberts Counties – US Highway 12 from east of Aberdeen to Interstate 29; Davison, Sanborn, and Beadle Counties – SD Highway 37 from north of Mitchell to south of Huron; Yankton, Clay, and Union Counties – SD Highway 50 from east of Yankton to Interstate Highway 29; Stanley and Lyman Counties – US Highway 83 from south of Fort Pierre to Interstate Highway 90; and Brown and Spink Counties – US Highway 281 from south of Aberdeen to the junction with SD Highway 20.

Department of Revenue and Regulation – Amend rules to update the edition of the manuals used to value and assess property; to provide greater flexibility in how credits are counted for assessor school instructors; to revise the requirements for renewal of

property assessor certificates; to update definitions that relate to the determination of agricultural income value; to revise the formula to determine agricultural land value when there are insufficient sales; to list the information a Director of Equalization must base adjustments; to require the department to review adjustments made to valuation and any evidence submitted in support of an adjustment; to tax a retail sale made by one florist, delivered by another florist, where the delivery is made, beginning January 1, 2006; to remove references to the special tax rate for farm machines, attachments and irrigation equipment; to include boats in the damage disclosure requirements and clarify what information is required in a damage disclosure statement; to change the circumstances that require a report from an alcohol licensee about a stock transfer and to specify how that report will be used; and to repeal a provision requiring employees to report any attempted solicitation of bribery, repeal a provision requiring employees to acknowledge their awareness of the requirements of the rule, and specify that the rule applies to all members of the distilled spirits industry.

Department of Revenue and Regulation: Division of Insurance – Amend rules to change the permissible exclusions in life insurance policies; modify the open enrollment period for Medicare eligible individuals; and establish the effective date of producer appointments.

10:45 a.m. Break

### **Representative Thompson**

Department of Revenue and Regulation: Real Estate Commission - Adopt and amend rules to clarify appointed agent procedures regarding disclosure and confidentiality, to repeal forms in appendices by establishing contents of forms prescribed by the Real Estate Commission, and to update materials incorporated by reference.

### **Senator Smidt**

Department of Game, Fish and Parks - Adopt, amend and repeal rules regarding: private shooting preserves - modify tagging requirements (placement and time of placement) for harvested birds, define tracts of land which do not constitute a "contiguous" tract of land for purposes of issuance of a permit and inclusion within a preserve, repeal reference to public hearings on applications, require division investigations and reporting of findings to the department, and require the department to consider certain factors in issuance of permits for preserves located within 1 mile of a publicly owned shooting area; public water zoning – in Marshall County create a "no boating zone" on certain waters within Piyas Lake during certain periods of time; park concession leases – modification of regulations relative to the park concession leases: definitions, general provisions, expiration or amendment of lease, and sale of interest in lease.

12:00p.m. Adjourn

**NOTE:** To help agencies estimate when to appear before the committee, the agenda is set assuming a ten-minute presentation per rule. However, actual times may vary.

**Members:** Representative Jean M. Hunhoff, Chair; Senator Orville B. Smidt, Vice-Chair; Senators Eric H. Bogue and Jim Hundstad; and Representatives Roger Hunt and Bill Thompson.

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